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In Pro Per

FILED *a*
JUL - 2 2008
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

PATRICIA C. BARBERA,
Plaintiff,

v.

WMC MORTGAGE CORPORATION
Defendant,
CAL LAND TITLE COMPANY OF MARIN,
Defendant,

SELECT PORTFOLIO SERVICING, INC
Defendant.

CASE NO. CV 08-2677 SBA
[Vacate and Remand to Superior Court of
California, County of Marin, Case No.
CV 081763]

PLAINTIFF'S DECLARATION OF
SUPPORT OF JUDICIAL
NOTICE OF ADMINISTRATIVE
MOTION TO SHORTEN THE
TIME OF THE HEARING TO
DETER FRAUDULENT ACTIONS;
AND TO NOTICE WRONGFUL
REMOVAL TO VACATE THIS CASE
AND REMAND IT TO THE STATE
COURT FROM WHICH IT CAME

BY FAX

Declaration in Support of Request for Judicial Notice of the Administrative Motion to Shorten
the Time of the Hearing to Deter Fraudulent Actions; and to Notice Wrongful Removal to
Vacate this Case And Remand it to the State Court from Which it Came.

1
2 I, Patricia C. Barbera, hereby declare and say:

3
4 1. I am the Plaintiff in this action. I have personal knowledge of the facts set forth in
5 this Declaration and, if called upon to do so, I could and would testify competently thereto.

6 2. I submit this declaration in support of the Administrative Motion to Shorten the
7 Time of the Hearing to Deter Any More Fraudulent Actions; and to Notice Wrongful Removal
8 to Vacate this Case And Remand it to the State Court from Which it Came.

9 3. On 5/28/08 REEDSMITH filed a Notice of Removal from the Superior Court of
10 Marin County. On that date they knew that their client, WMC MORTGAGE *had not answered*
11 *their summons, and were in default*. They also knew that they had *waived their right to*
12 *litigate in this case*. Nevertheless, they issued voluminous documents, pleadings and filings
13 which were replete with *Contempt of Court, Perjury, and Conspiracy* violations.

14 4. On May 30, 2008. I personally reviewed the Marin County Superior Court files
15 in this action. This review disclosed that WMC MORTGAGE had failed to Answer Their
16 Summons. I realized that **THEY WERE IN DEFAULT**.

17 5. On that date I e-mailed My Objections to the Removal, on two causes, to Rivas
18 which He denied..

19 6. On June 3, 2008, I again e-mailed Rivas a detailed objection on the cause that
20 They were in default and suggested that He might dismiss the case, to which He shouted, said
21 that I was threatening Him and disparaged Me.

22 7. They enjoined Select Portfolio Servicing (represented by WRIGHT, FINLAY &
23 ZAK) and Cal Land Title Company of Marin (represented by THE LAW OFFICES OF DANIEL
24 A. GAMER) into joining this tort undertaking..

25
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27 the Time of the Hearing to Deter Fraudulent Actions; and to Notice Wrongful Removal to
28 Vacate this Case And Remand it to the State Court from Which it Came.

8. Based on Defendants' continuance to commit multiple criminal acts against this

I declare under penalty under the laws of State of California and the laws of the United

Executed this 1st day of July, 2008 at Novato, California.

Patricia C Barbera

PATRICIA C. BARBERA

Declaration in Support of Request for Judicial Notice of the Administrative Motion to Shorten the Time of the Hearing to Deter Fraudulent Actions; and to Notice Wrongful Removal to Vacate this Case And Remand it to the State Court from Which it Came.